

FILED

October 6, 2011
STATE OF NEW JERSEY
BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS
PROFESSIONAL COUNSELOR EXAMINERS COMMITTEE
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
PROFESSIONAL COUNSELOR EXAMINERS
COMMITTEE OF THE STATE BOARD OF MARRIAGE
AND FAMILY THERAPY EXAMINERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

PAUL MEHAFFEY, M.A., M.S., LPC
LICENSE No. 37PC00107100

TO PRACTICE PROFESSIONAL
COUNSELING IN THE STATE OF NEW
JERSEY

Administrative Action

CONSENT ORDER

This matter was opened before the Professional Counselor Examiners Committee (hereinafter "Committee") of the New Jersey State Board of Marriage and Family Therapy Examiners, upon review of allegations that respondent engaged in boundary violations with a client, J.V.

Respondent appeared before the Committee with counsel, Michael Keating, Esq., on June 2, 2011. Respondent testified that he has

been licensed as a professional counselor since 1999 and currently works as a Primary Therapist at The Renfrew Center, Ridgewood, New Jersey.

Respondent stated that he began treating J.V. during September 2006 while serving as Associate Director for the Eating Disorders Unit at Somerset Medical Center. After J.V. left the Eating Disorders Unit during 2006, respondent continued treating her at his private practice, Counseling Services, LLC, in Somerville, New Jersey through December 2007. Respondent testified that he had diagnosed J.V. with borderline personality, anorexia with purging, alcohol dependence and depression, that he was concerned about her pattern of self destructive behavior, that she had been sexually abused and that she had two suicide attempts while he was treating her. Respondent maintained that after she stopped coming for therapy sessions, he remained in contact with J.V. through e-mail and texting until August 2009. Although respondent stated that he does not text other patients, he responded to J.V.'s text messages daily. Respondent acknowledged that during August 2007 he sent J.V. correspondence by e-mail expressing his romantic feelings toward the J.V., which was inappropriate and crossed professional boundaries. J.V. asserted that after receiving respondent's romantic e-mail, she made a serious suicide attempt during October 2007. J.V. also alleged that at the end of therapy sessions there was inappropriate touching on several occasions, hugs and/or kisses

on the forehead. Respondent acknowledged that he kissed the patient on the forehead once when visiting her in the hospital and testified that in "this particular case, I was lost," and did not seek supervision or consultation. Further respondent admitted that he "missed the boundaries" with J.V., met J.V. for non-treatment purposes, such as going out for coffee and waiting an hour and a half with her for A.A.A. when she had a flat tire, but denied ending therapy with physical contact. Both respondent and J.V. denied engaging in sexual intercourse.

The Committee has reviewed respondent's experience in the field, the documents provided to the Committee and respondent's testimony before the Committee. The Committee finds that respondent's acknowledged repeated boundary violations constitute gross negligence or gross incompetence which damaged or endangered the life, health, and welfare of J.V., repeated acts of negligence and/or incompetence and professional misconduct, in violation of N.J.S.A. 45:1-21(c), (d) and (e).

It appearing that respondent desires to resolve this matter without further proceedings and the Committee finding this Consent Order to be adequately protective of the public health, safety and welfare, and other good cause appearing;

IT IS ON THIS 6th DAY OF October, 2011

ORDERED:

1. Respondent's license to practice professional counseling

shall be suspended for two (2) years, the entire period shall be stayed and served as a period of probation. For a minimum of the first year of the period of probation, respondent shall practice only under the supervision of a New Jersey qualified supervisor, pre-approved by the Committee as enumerated below. Respondent shall continue to practice under the supervision of the pre-approved supervisor until a subsequent order is filed by this Committee.

A. The supervisor shall have expertise in transference, counter-transference, boundary and ethical issues and hold an approved clinical supervisor credential or have completed a minimum of three graduate credits in clinical supervision from a regionally accredited institution of higher education.

B. The supervisor shall sign a copy of this Consent Order or a subsequent Order to be filed by the Committee, agreeing to the supervisory conditions which shall be submitted to the Committee prior to respondent commencing any practice during the period of probation. The supervisor shall meet face-to-face and interact individually with respondent for a minimum of one hour per week and review cases and client interactions with particular emphasis on transference and boundary issues. In the event the supervisor ceases supervising respondent, respondent shall cease and desist engaging in any professional counseling, mental health counseling and/or life coaching, including exempt or volunteer settings unless and until the Committee approves a new qualified

supervisor and respondent submits a signed copy of the Consent Order or a subsequent Order to the Committee. Respondent shall immediately (within 24 hours of occurrence) notify the Committee in writing of any change in supervision. No credit shall be granted toward the minimum period of one year of supervision, for any period that respondent is not engaged in counseling under the supervision of the pre-approved supervisor.

C. Via signature on this Order, the supervisor and any subsequent supervisor shall agree to maintain supervision records and to submit quarterly reports directly to the Committee. The reports shall describe case reviews, and include the number of hours of supervision per month, the number of cases and treatment records that were reviewed during the supervision, and an evaluation of the treatment records, whether the treatment records include sufficient documentation of any potential or actual boundary and ethical issues and review of boundary and ethical issues discussed during supervision. The supervisor shall include in the quarterly report a list of any deficiencies in the treatment records, or respondent's practice, recommend remediation actions and a statement regarding respondent's compliance with the supervisor's recommendations.

D. The supervisor shall immediately (within 24 hours) report to the Committee in writing any violation of this order, any indication that respondent has engaged in any dual relationships, sexual misconduct or boundary violations with a client or is not

capable of continued practice or has violated the statutes or regulations governing the practice of professional counseling or poses any danger to his clients. An unfavorable report shall be a sufficient basis for extending the period of supervision or such other actions as the Committee deems appropriate. Such reports and all notices shall be provided to Elaine DeMars, Executive Director, Professional Counselor Examiners Committee or her designee, at 124 Halsey Street, P.O. Box 45044, Newark, New Jersey 07101, via facsimile transmission to (973) 648-3536.

2. Respondent is reprimanded for engaging in repeated acts of negligence or incompetence, professional misconduct and/or sexual misconduct, by the admitted boundary violations described above, in violation of N.J.S.A 45:1-21 (c), (d) and (e).

3. Respondent shall cease and desist engaging in professional misconduct, boundary violations, sexual misconduct or dual relationships with clients.

4. Respondent shall fully attend and successfully complete a three (3) credit in-person graduate course (not a distance learning and/or internet program) pre-approved by the Committee in ethics, boundary issues, transference and counter-transference for mental health professionals. Respondent shall submit a transcript and documentation to the Committee, on or before July 1, 2012 demonstrating that he fully attended and successfully completed the

course. This course is in addition to the biennial hours of continuing education required pursuant to N.J.A.C. 13:34-15.1.

5. During the entire period of probation, respondent shall inform the Committee in writing of the name of his employer, address and telephone number of each work site, including self-employment and any changes in his employment. The written notification shall be sent to the Elaine DeMars, Executive Director, Professional Counselor Examiners Committee, or her designee, at 124 Halsey Street, P.O. Box 45044, Newark, New Jersey 07101 within five (5) days of beginning work at each site. Contemporaneously with the signing of the within Consent Order, respondent shall send the Executive Director of the Committee a list of all current work sites, including the name of the employer, address and telephone number, including self-employment.

6. Respondent shall be precluded from supervising any practice of professional counseling and/or mental health counseling unless and until the Committee issues a subsequent Order.

7. Respondent shall pay civil penalties in the amount of three thousand dollars (\$2,500.00). Payment shall be contemporaneous with the signing of this Order and shall be by certified check or money order payable to the Treasurer, State of New Jersey and submitted to Elaine DeMars, Executive Director, Professional Counselor Examiners Committee, or her designee, at 124 Halsey Street, P.O. Box 45044, 124 Halsey Street, Newark, New Jersey 07101.

8. Failure to remit payment as required by this Order will result in the filing of a Certificate of Debt and such other proceedings as permitted by law.

9. During the entire period of probation, upon receipt of any information that respondent has deviated from the terms of this Consent Order without prior written consent of the Committee, the period of suspension of license shall be automatically activated in the sole discretion of the Committee. In such event, respondent may petition the Committee for reinstatement on five (5) days notice for a hearing limited to the sole issue of whether he has deviated from the terms of this Consent Order.

10. Respondent shall comply with all statutes and regulations, as well as professional standards of conduct and obligations imposed by law on licensed professional counselors.

11. After a minimum of one year of successfully engaging in practice under supervision, respondent may apply for a modification of the Consent Order. The burden shall be upon respondent to demonstrate in writing to the Committee's satisfaction that he has complied with each paragraph of this Order and is fit and competent to practice without any supervision. If so requested by the Committee, respondent shall appear before the Committee to demonstrate compliance with this Order and fitness and competence to practice without supervision. The Committee reserves the right

to modify, reduce, continue or terminate supervision or impose additional conditions, if necessary.

12. Nothing in this Order shall preclude the Committee from investigating, bringing a complaint based upon, or imposing additional and different discipline upon respondent for any other claims of wrongful conduct, including but not limited to claims of sexual misconduct regarding other patients.

PROFESSIONAL COUNSELOR EXAMINERS COMMITTEE
OF THE NEW JERSEY STATE BOARD OF MARRIAGE
AND FAMILY THERAPY EXAMINERS

By: Wm F Green M.S. LRC
William F. Green, M.S., LRC
Chair

I have read and understand the within Order
and agree to be bound by its terms. Consent
is hereby given to the Board to enter this Order.

Paul Mehaffey
Paul Mehaffey, M.A., M.S., LPC

Consent as to form and entry:

Michael Keating
Michael Keating, Esq.
Attorney for Paul R. Mehaffey, M.A., M.S., LPC

SUPERVISOR

I have read the within Order. I agree to comply with the the supervisory and reporting requirements in this Order.

Michael Chenkin, MSW, LCSW, LCAAC

Print Name of Supervisor MICHAEL CHENKIN

Address: 21 E. HIGH St., Suite 5, Somerville, NJ 08876

Telephone Number 908 393-6300

Dated: 9/30, 2011

License No.